

XAVIER BECERRA  
Attorney General of California  
JULIE WENG-GUTIERREZ  
Senior Assistant Attorney General  
GREGORY D. BROWN, SBN 219209  
NIMROD P. ELIAS, SBN 251634  
Deputy Attorneys General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5841  
Fax: (415) 703-5480  
E-mail: Nimrod.Elias@doj.ca.gov  
*Attorneys for Plaintiff the State of California*  
*[Additional Counsel Listed on Signature Pages]*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**THE STATE OF CALIFORNIA, et al.,**  
  
Plaintiffs,  
  
**v.**  
  
**DONALD J. TRUMP, President of the**  
**United States, et al.,**  
  
Defendants.

3:17-cv-05895-VC

**JOINT STIPULATION AND  
[PROPOSED] ORDER AMENDING  
BRIEFING SCHEDULE AND  
CONTINUING HEARING ON PARTIES'  
DISPOSITIVE CROSS-MOTIONS**

Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, the parties hereby jointly stipulate to the following request for an order continuing the briefing schedule and hearing date on the parties' dispositive cross-motions:

At the Case Management Conference on November 21, 2017, the Court set the following briefing schedule:

Plaintiffs' brief #1: 1/16/2018 (30 pages)

Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
1/23/2018 (15 pages)

Defendants' brief #1: 2/8/2018 (30 pages)

Amicus brief in support of defendants: 2/15/2018 (15 pages)

Plaintiffs' brief #2: 2/22/2018 (25 pages)

Defendants' brief #2: 3/8/2018 (20 pages)

Motion Hearing set for 3/21/2018 10:00 AM in Courtroom 4, 17th Floor,  
San Francisco before Judge Vince Chhabria.

The parties hereby stipulate to, and request that the Court order, the following amended  
briefing schedule:

Plaintiffs' brief #1: 4/20/2018 (30 pages)

Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
4/27/2018 (15 pages)

Defendants' brief #1: 5/15/2018 (30 pages)

Amicus brief in support of defendants: 5/22/2018 (15 pages)

Plaintiffs' brief #2: 6/5/2018 (25 pages)

Defendants' brief #2: 6/26/2018 (20 pages)

Motion Hearing set for 7/12/2018 10:00 AM in Courtroom 4, 17th Floor,  
San Francisco before Judge Vince Chhabria.

Good cause exists for the parties' joint request to amend the briefing schedule and continue  
the hearing date. First, the parties believe that it would be preferable to wait until the district  
court issues an indicative ruling in the *House v. Hargan* lawsuit, *see* No. 1:14-cv-01967-RMC  
(D.D.C.), so as to ensure that the parties are efficiently utilizing the Court's resources. Second,  
the parties believe that it is appropriate to allow additional time for Congress to consider potential  
legislation relevant to this case.

1 Dated: January 5, 2018

Respectfully submitted,

2 XAVIER BECERRA  
Attorney General of California  
3 JULIE WENG-GUTIERREZ  
Senior Assistant Attorney General  
4

5 */s/ Nimrod P. Elias*

6 GREGORY D. BROWN  
NIMROD P. ELIAS  
7 Deputy Attorneys General  
*Attorneys for Plaintiff the State of California*  
8

9 GEORGE JEPSEN  
Attorney General of Connecticut  
JOSEPH R. RUBIN  
10 Associate Attorney General  
ROBERT W. CLARK  
11 Special Counsel to the Attorney General  
*Attorneys for Plaintiff the State of*  
12 *Connecticut*

13 MATTHEW P. DENN  
Attorney General of Delaware  
14 AARON R. GOLDSTEIN  
State Solicitor  
SARAH FISHMAN GONCHER  
15 JOHN H. TAYLOR  
Deputy Attorneys General  
16 *Attorneys for Plaintiff the State of Delaware*  
17

18 KARL A. RACINE  
Attorney General for the District of  
Columbia  
19 ROBYN R. BENDER  
Deputy Attorney General  
20 *Attorneys for Plaintiff the District of*  
21 *Columbia*

22 LISA MADIGAN  
Attorney General of Illinois  
DAVID F. BUYSSE  
23 Deputy Chief, Public Interest Division  
*Attorneys for Plaintiff the State of Illinois*  
24

25 THOMAS J. MILLER  
Attorney General of Iowa  
NATHAN BLAKE  
26 Deputy Attorney General  
*Attorneys for Plaintiff the State of Iowa*  
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ANDY BESHEAR  
Attorney General  
Commonwealth of Kentucky  
LA TASHA BUCKNER  
Executive Director  
Office of Civil and Environmental Law  
S. TRAVIS MAYO  
TAYLOR PAYNE  
Assistant Attorneys General  
*Attorneys for Plaintiff the Commonwealth of Kentucky*

BRIAN E. FROSH  
Attorney General of Maryland  
STEVEN M. SULLIVAN  
Solicitor General  
*Attorneys for Plaintiff the State of Maryland*

MAURA HEALEY  
Attorney General of Massachusetts  
ERIC GOLD  
Assistant Attorney General  
*Attorneys for Plaintiff the Commonwealth of Massachusetts*

LORI SWANSON  
Attorney General of Minnesota  
ALAN GILBERT  
Solicitor General  
JASON PLEGGENKUHLE  
KATHERINE KELLY  
Assistant Attorneys General  
*Attorneys for Plaintiff the State of Minnesota*

HECTOR H. BALDERAS  
Attorney General of New Mexico  
TANIA MAESTAS  
Chief Deputy Attorney General  
*Attorneys for Plaintiff the State of New Mexico*

ERIC T. SCHNEIDERMAN  
Attorney General of New York  
BARBARA D. UNDERWOOD  
Solicitor General  
STEVEN C. WU  
Deputy Solicitor General  
HOWARD MASTER  
Senior Enforcement Counsel  
LISA LANDAU  
Bureau Chief, Health Care Bureau  
ERIC HAREN  
Special Counsel and Senior Advisor  
*Attorneys for Plaintiff the State of New York*

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JOSHUA H. STEIN  
Attorney General of North Carolina  
RYAN Y. PARK  
Deputy Solicitor General  
SRIPRIYA NARASIMHAN  
Deputy General Counsel  
*Attorneys for Plaintiff the State of North Carolina*

ELLEN F. ROSENBLUM  
Attorney General of Oregon  
HENRY KANTOR  
Special Counsel to the Attorney General  
J. NICOLE DeFEVER  
Assistant Attorney General  
*Attorneys for Plaintiff the State of Oregon*

JOSH SHAPIRO  
Attorney General of Pennsylvania  
JONATHAN SCOTT GOLDMAN  
Executive Deputy Attorney General  
MICHAEL J. FISCHER  
Chief Deputy Attorney General  
PATRICK M. GREENE  
Deputy Attorney General  
*Attorneys for Plaintiff the Commonwealth of Pennsylvania*

PETER KILMARTIN  
Attorney General of the State of Rhode Island  
REBECCA TEDFORD PARTINGTON  
Chief, Civil Division  
MARIA R. LENZ  
Special Assistant Attorney General  
MICHAEL W. FIELD  
Assistant Attorney General  
*Attorneys for Plaintiff the State of Rhode Island*

THOMAS J. DONOVAN, JR.  
Attorney General of Vermont  
BENJAMIN D. BATTLES  
Solicitor General  
*Attorneys for Plaintiff the State of Vermont*

MARK R. HERRING  
Attorney General of Virginia  
MATTHEW R. MCGUIRE  
Acting Deputy Solicitor General  
*Attorneys for Plaintiff the Commonwealth of Virginia*

ROBERT W. FERGUSON  
Attorney General of Washington  
JEFFREY T. SPRUNG  
RENE D. TOMISSER  
Assistant Attorneys General  
*Attorneys for Plaintiff the State of  
Washington*

CHAD A. READLER  
Acting Assistant Attorney General  
JAMES M. BURNHAM (Ill. Bar No.  
6304648)  
Senior Counsel  
Civil Division, U.S. Department of Justice

CHRISTOPHER HALL  
Assistant Branch Director

/s/ Steven A. Myers  
STEVEN A. MYERS  
JOSEPH C. DUGAN  
Trial Attorneys  
Civil Division, Federal Programs Branch  
U.S. Department of Justice

*Counsel for Defendants*

**LOCAL RULE 5-1(i) ATTESTATION**

I attest that I have obtained Nimrod P. Elias's and Steven A. Myers's concurrence in the  
filing of this document.

/s/ Gregory D. Brown  
GREGORY D. BROWN

**[PROPOSED] ORDER**

Pursuant to the parties' stipulation, the Court hereby orders that the schedule for the parties' dispositive cross-motions is amended as follows:

Plaintiffs' brief #1: 4/20/2018 (30 pages)

Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
4/27/2018 (15 pages)

Defendants' brief #1: 5/15/2018 (30 pages)

Amicus brief in support of defendants: 5/22/2018 (15 pages)

Plaintiffs' brief #2: 6/5/2018 (25 pages)

Defendants' brief #2: 6/26/2018 (20 pages)

Motion Hearing set for 7/12/2018 10:00 a.m. in Courtroom 4, 17th Floor,  
San Francisco before Judge Vince Chhabria.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Vincent Chhabria  
United States District Judge

1 XAVIER BECERRA  
Attorney General of California  
2 SUSAN M. CARSON  
Supervising Deputy Attorney General  
3 NIMROD P. ELIAS  
Deputy Attorney General  
4 State Bar No. 251634  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5841  
6 Fax: (415) 703-5480  
E-mail: Nimrod.Elias@doj.ca.gov  
7 *Attorneys for Plaintiff the State of California*

8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11

12 **THE STATE OF CALIFORNIA, et al.,**  
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14 Plaintiffs,  
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16 **v.**  
17 **DONALD J. TRUMP, President of the**  
**United States, et al.,**  
18 Defendants.

3:17-cv-05895-VC

**DECLARATION OF NIMROD P. ELIAS  
ISO JOINT STIPULATION AMENDING  
THE BRIEFING SCHEDULE AND  
CONTINUING THE HEARING ON  
PARTIES' DISPOSITIVE CROSS-  
MOTIONS**

19  
20 I, Nimrod P. Elias, hereby declare as follows:

21 1. I am a Deputy Attorney General with the California Attorney General's Office, am  
22 licensed to practice law by the State of California, and am admitted to the United States District  
23 Court for the Northern District of California. I am an attorney of record in the above-captioned  
24 matter. The parties have agreed to amend the briefing schedule and continue the hearing on the  
25 parties' dispositive cross-motions. The current briefing and hearing schedule, established by the  
26 Court in November 2017, is as follows:

27 Plaintiffs' brief #1: 1/16/2018 (30 pages)  
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1 Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
2 1/23/2018 (15 pages)

3 Defendants' brief #1: 2/8/2018 (30 pages)

4 Amicus brief in support of defendants: 2/15/2018 (15 pages)

5 Plaintiffs' brief #2: 2/22/2018 (25 pages)

6 Defendants' brief #2: 3/8/2018 (20 pages)

7 Motion Hearing set for 3/21/2018 10:00 a.m. in Courtroom 4, 17th Floor,  
8 San Francisco before Judge Vince Chhabria.

9 2. The parties have stipulated to the following amended briefing schedule:

10 Plaintiffs' brief #1: 4/20/2018 (30 pages)

11 Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
12 4/27/2018 (15 pages)

13 Defendants' brief #1: 5/15/2018 (30 pages)

14 Amicus brief in support of defendants: 5/22/2018 (15 pages)

15 Plaintiffs' brief #2: 6/5/2018 (25 pages)

16 Defendants' brief #2: 6/26/2018 (20 pages)

17 Motion Hearing set for 7/12/2018 10:00 a.m. in Courtroom 4, 17th Floor,  
18 San Francisco before Judge Vince Chhabria.

19 3. There are a number of reasons for requesting this extension of time for briefing and  
20 hearing dispositive motions in this matter. First, the parties believe that it would be preferable to  
21 wait until the district court issues an indicative ruling in the *House v. Hargan* lawsuit, *see* No.  
22 1:14-cv-01967-RMC (D.D.C.), so as to ensure that the parties are efficiently utilizing the Court's  
23 resources. Second, the parties believe that it is appropriate to allow additional time for Congress  
24 to consider potential legislation relevant to this case.

25 I declare under penalty of perjury that to the best of my knowledge, the above is true and  
26 correct. Executed on January 5, 2018 in Berkeley, California.

27 /s/ **Nimrod P. Elias**

28 NIMROD P. ELIAS  
Deputy Attorney General  
*Attorney for Plaintiff the State of  
California*

**LOCAL RULE 5-1(i) ATTESTATION**

I attest that I have obtained Nimrod P. Elias's concurrence in the filing of this document.

/s/ Gregory D. Brown  
GREGORY D. BROWN